



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Jensen, Wayne A.
Lappin, Michael R.
Rosen, David K.
Andrews, Janet S.

Serial No.: 10/670,695

Filed: September 25, 2003

Atty. File No.: DI-9-1

For: "USE OF RECOMBINANT ANTIGENS
TO DETERMINE THE IMMUNE
STATUS OF AN ANIMAL"

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Prior to the initial review of the above-identified patent application by the Examiner, please enter the following Preliminary Amendment. Applicants claim small entity and note the basic filing fee of \$375 was paid at the time of filing of this application, September 25, 2003. Applicants attach hereto a Fee Transmittal for FY 2004 containing calculations for the fees incurred due to the addition of claims in this Preliminary Amendment. Applicants authorize the fee of \$284 to be charged to Deposit Account No. 081930, for the addition of claims beyond those covered by the basic filing fee.

Please amend the above-identified patent application as follows:

) Group Art Unit:

) Examiner:

PRELIMINARY AMENDMENT

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on October __, 2003, in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10, Label No. EV 322825422 US, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

HESKA CORPORATION

By: Susan A. Gordon
Susan A. Gordon

11/04/2003 WBD/ELR1 00000009 081930 10670695
01 FC:2201 86.00 DA
02 FC:2202 198.00 DA



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$284.00

Complete if Known

Application Number	10/670,695
Filing Date	September 25, 2003
First Named Inventor	Wayne A. Jensen
Examiner Name	
Art Unit	
Attorney Docket No.	DI-9-1

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 081930

Deposit Account Name Heska Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND

Extra Claims		Fee from below	Fee Paid
Total Claims			
42	-20** = 22	9.00	198.00
Independent Claims	5 - 3** = 2	43.00	86.00
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) \$284.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non - English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR § 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Statement	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) _____

SUBMITTED BY

Name (Print/Type) Richard J. Stern, Ph.D.

Registration No. (Attorney/Agent)

50,668

Complete (if applicable)

Telephone (970) 493-7272 ext. 4174

Signature

Richard J. Stern

Date

October , 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



10-31-03

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CERTIFICATE OF MAILING BY "EXPRESS" MAIL" (37 CFR 1.10)

"EXPRESS MAIL" MAILING LABEL NUMBER: EV 322825422 US

DATE OF DEPOSIT: October 30, 2003

Serial No.: 10/670,695

Filing Date: September 25, 2003

Docket No.: DI-9-1

I hereby certify that the attached Preliminary Amendment and Fee Transmittal for FY 2004 are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

TYPED OR PRINTED NAME: Susan A. Gordon

SIGNATURE: Susan A. Gordon